

Chapter IV: DUTIES
Section: D-8
Subject: Emergency Vehicle Operations
Revised: 11/02/2005

CLERK OF DISTRICT JUDICIARY
Exhibit No. 7
Date 9 JAN 07
Bill No. SB 5

B. **PURSUIITS** (Cont.)

11. **VEHICLE PURSUIT REVIEW** (Cont.)

1. Was the pursuit necessary?
 2. Was the pursuit conducted within the guidelines of the Rules, Regulations and Policy Manual?
 3. Are there any training needs to be addressed?
 4. Are any changes recommended to the Rules, Regulations and Policy Manual?
- b. The Field Force Commander will submit a yearly report of pursuit incidents to the Chief identifying any training needs or modifications warranted in departmental pursuit procedures.

C. **UNMARKED PATROL VEHICLE OPERATION**

1. It is the policy of the Montana Highway Patrol to obtain maximum compliance of MCA traffic law by the motoring public. In attaining this goal, the use of vehicles devoid of any Highway Patrol Division identification may be utilized. Any such vehicle will be equipped with emergency lighting, siren and other necessary equipment for the safety of the officer and the motoring public. Unmarked patrol vehicles will be assigned MHP license plates.
2. The District Commander will be responsible for the maintenance and assignment of an unmarked patrol vehicle.
3. Unmarked patrol vehicles will be primarily utilized for special enforcement duties. Such assignments would include school bus violations, restricted speed zones, no passing zones, stop sign violations, etc. Without direct and prior approval of the District Commander, any usage of an unmarked vehicle will be restricted to an assigned daylight hour shift officer.
4. Any officer utilizing an unmarked car will prepare a special enforcement activity sheet at the end of each shift. The District Commander will submit a usage report to the Lt. Colonel at the end of each month. The report will include a summary of activity and mileage for the vehicle and will note any special events occurring during the vehicle's monthly operation.

C. **UNMARKED PATROL VEHICLE OPERATION** (Cont.)

5. Officers who are not wearing a uniform while driving an unmarked car will not make routine traffic stops unless the violator represents a significant risk to public safety.
6. Officers driving unmarked vehicles will avoid engaging in pursuits unless their assistance is absolutely necessary, in which case, an appropriately marked MHP vehicle will be dispatched to replace the unmarked car as soon as possible. If a marked unit is not reasonably available, the unmarked vehicle will disengage with the violator unless doing so constitutes a significant risk to the public. Any such involvement will be governed by Policy GR-2 (Discretion) for which the officer will be held responsible.
7. Operation of an unmarked vehicle will conform to current policies associated with MHP vehicle usage and officer discretion. As the lack of official markings makes the vehicle less distinguishable from a regular patrol vehicle, caution should always be emphasized over apprehension during any attempted violator stop. The motoring public may not be aware of the unmarked car's status as an authorized emergency vehicle and may be hesitant to stop.